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AMARAVATI, WEDNESDAY, FEBRUARY 12, 2020

G.706

PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

**SUPERINTENDENT OF POLICE,
KRISHNA, MACHILIPATNAM.**

C.No.20/PR/2017.

Date : 10-05-2019.

M E M O

POLICE DEPARTMENT, KRISHNA DISTRICT, MACHILIPATNAM - OE AGAINST Sri G. KRISHNA, PC 1356, H. JUNCTION P.S., - ORAL ENQUIRY COMPLETED - MINUTES AGREED - FURTHER WRITTEN STATEMENT OF DEFENCE CALLED FOR.

Ref:- 1) This office memorandum of OE charge in C.No.20/PR/2017 (C.No.54/A5/2017) dt:12.09.2017 published in the A.P.Gazette on 25.05.2018.

2) Letter in Dis.No.Nil/CCS-MTM/2019 dt.21.01.2019/10.04.2019 of the Dy.Suptd.of Police, CCS, Machilipatnam.

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Sri G.Krishna, PC 1356, H.Junction P.S., was handed up on an article of charge in the reference cited for the following delinquency:-

“Gross neglect of duty and reprehensible conduct That the above PC (charged officer) was found absent for duties unauthorisedly from 14.07.2017 without obtaining any leave or permission from the superior officers. On completion of 21 days of continuous unauthorized absence by 03.08.2017 he was declared as deserter w.e.f., 14.07.2017 as per Order No.184 of APPM Vol.I, vide this office D.O.No.615/2017 (C.No.2432/A8/2017) dt: 18.08.2017. He has received the orders of desertion on 23.08.2017, wherein he was specifically instructed to

report before the Supdt.of Police, Krishna District, if he got any intention to join duty. But, he did not appear to join for duty till to date. Thus, he exhibited gross neglect of duty and reprehensible conduct by absenting himself for duties unauthorisedly without obtaining any prior permission or leave from the superiors, which is unbecoming of a police officer and there by violated rule 3 and 4 of APCS (Conduct) Rules, 1964.”

The Dy.Supdt.of Police, CCS, Machilipatnam was appointed as Inquiring Officer with instructions to conduct oral enquiry against the charged officer Sri G.Krishna, PC 1356, H.Junction P.S.,\ The Inquiring Officer has completed OE and submitted minutes holding the Articles of charge as **Proved**. I agree with the findings of the Inquiring Officer.

A copy of the OE minute submitted by the Inquiring Officer is sent herewith and he is directed to submit his further representation of defence on the findings of the Inquiring Officer to this office within 15 days from the date of receipt of this memorandum.

SARVASHRESTH TRIPATHI,
Superintendent of Police,
Krishna District.

To

Sri G. Krishna, PC 1356, H. Junction P.S. (induplicate) through the Inspector of Police, H. Junction, who will please serve a copy of the minute on the charged officer and to return the dated acknowledged copy to this office immediately.

**DEPUTY SUPERINTENDENT OF POLICE,
CCS, MACHILIPATNAM.**

C.No.20/PR/2017

C.No. 3/PR/CCS MTM/2018.

Dated : 21-01-2019.

MINUTE

Charged Officer: Sri G.Krishna, PC 1356 of Hanuman Junction PS
- OE conducted – submission of Minutes - regarding.

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(A) Sri G.Krishna, PC 1356 of Hanuman Junction PS worked at Hanuman Junction PS since 22.3.2016. He was found absent for duties unauthorized from 14.7.2017 without obtaining any leave or permission from the superior officers. On completion of 21 days of continuous unauthorized absence by 3.8.2017 he was declared as deserted w.e.f 14.7.2017 as per order no. 184 of APPM Vol.I vide DO.no.615/2017 in C.no.2432/A8/2017 dt.18.8.2017 of the Supdt. of Police, Krishna, Machilipatnam.

He has received the orders on desertion on 23.8.2017, wherein he was specifically instructed to report before the Supdt. of Police, Krishna District, if he got any intention of joint duty. But he did not appear to join for duty till to date. Thus he exhibited gross neglect of duty and reprehensible conduct which is unbecoming of a police officer and there by violated rule 3 and 4 of APCS conduct rules, 1964.

During oral enquiry, I tried to serve summon to the charged officer Sri G. Krishna, PC 1356 of Hanuman Junction PS to attend oral enquiry for obtaining first oral statement of the charged officer on 15.10.2018, but his whereabouts are not known. I deputed SI of Police, Hanuman Junction to serve summon to the Charged officer, but his whereabouts are not known. The same was informed by the Sub-Inspector of Police, Hanuman Junction dt.11.8.2018, 23.8.2018, 4.9.2018. PC 508 of CCS, Machilipatnam went to his mother's house and reported that the said PC 1356 is not coming to her mother's house.

I also sent the Police notice to the charged officer as per his service register through speed post to his native place Revenue colony, K.L. Puram, Contonment, Vijayanagaram District with acknowledgment due to under Rule 42(ii) of APCS (CC & A Rules 1991. But the same was returned as none were the residing at the above address.

As per the Rule 42(iii) of APCS (CC& A) rules 1991 every order, notice and other process made or issued under these rules shall, if it cannot be served or communicated be published in Andhra Pradesh Gazette. Accordingly Andhra Pradesh Gazette published vide W.No.40, Amaravathi, Wednesday, October 10, 2018, G-495.

I further submit that Third notice was issued on 10.8.2018 to charged officer to attend OE on 12.8.2018, But his where about are not known. Thus on all the above given dates, the charged officer not attend the oral enquiry for recording oral statements. The charged officer failed to attend OE and I recorded the statements of three prosecution witnesses in the absence of charged officer.

Witnesses examined in support of charge:

1. Sri Yenugadati Kishore, A8 Jr. Asst., Dist. Police Office, Krishna District, Machilipatnam.
2. Sri Perugu Venkateswara rao S/o Subbarao, Age 54 yrs, ASI 162, Hanuman Junction PS, Krishna District.
3. Sri B.Tulasidhar, Sub-Inspector of Police, Hanuman Junction PS.

B) Summary of the evidence in support of the charges:

1) Statement of Sri Yenugadati Kishore, Jr. Asst., D.P.O., Krishna, Machilipatnam.

“He stated that he is working as Junior Asst. since 2013. S.I., Hanuman Junction PS sent a report against the PC 1356 Sri G.Krishna of Hanuman Junction regarding unauthorized absence from 14.7.2017 to 6.8.2017 and completed 24 days of absent for duty. On that as per orders of the Superintendent of Police, Krishna vide D.O.No.615/2017 dt.18.8.2017, he was declared as deserter as per APPM Part-I, order no.184 and served the D.O copy to PC 1356 through SI of Police, Hanuman Junction PS. DO copy marked as EX. P-1.

2) Statement of Sri Perugu Venkateswara rao S/o Subbarao, Age 54 yrs, ASI 162, Hanuman Junction PS, Krishna District.

“He stated that he was enlisted as police constable on 31.12.1983. He has been working at Hanuman Junction PS since 13.6.2016 as ASI. The charged officer working at Hanuman Junction PS since 22.3.2016. The charged officer absented him on 14.7.2017 at 7 AM roll call without prior permission or leave from superior officers. As per the instructions of SI of Police, he sent a General memo.24/Genl/2017 dt. 16.7.2017 to the District Police office, Machilipatnam. Since then he did not attend duty PS till 12.11.2018. General memo no.24/2017dt. 16.7.2017 of Hanuman Junction PS marked as EX P2.

3) Statement of Sri B.Thuslaidar, SI of Police, Vigilance and APTS of AP Transco, Eluru, W.G. District formerly at Hanuman Junction PS, Krishna District.

“He stated that he was enlisted in the Police department as SI in Eluru Range during the year 2010. Now he is working as SI of Police Vigilance and APTS of AP Transco, Eluru, W.G. District since 22.11.2018. Previously he worked at Hanuman Junction PS, Krishna District from 14.4.15 to 4.10.2017. One PC 1356 Sri G.Krishna has been working as Police constable from 22.3.2016. The charged office PC 1356 Sri G. Krishna has been absent to his duty without leave or permission from 14.7.2017 at 07.00 hours and the same was entered in General Diary vol.no.II on the same day. The charged officer not attended his duty and he was continuously absent to his duty for 24 days from 14.7.2017 to 6.8.2017. Then he submitted a report to the kind Supdt. Of Police, Krishna, Machilipatnam for necessary action. Copy of General diary dt.14.7.2017, 6.8.18 and special report is marked as EX P-3 to P5

Documents examined by Prosecution:

Exhibit P-1 D.O.No.615/17 (C.No.2432/A8/2017) Dt.18.8.2017.

Exhibit P-2 Copy of Memo no.24/General /2017 dt. 16.7.17 of Hanuman Junction PS.

Exhibit P-3 Copy of General diary dt. 14.7.2017 of Hanuman Junction PS.

Exhibit P-4 Copy of General diary dt. 6.8.2017 of Hanuman Junction PS.

Exhibit P-5 Special report submitted by the SI of Police, Hanuman Junction PS.

Exhibit P-6 Andhra Pradesh Gazette published vide W.No.40, Amaravathi, Wednesday, October 10, 2018, G-495.

(C) Defense Witness: NIL

(D) Explanation of Charged Officer: NIL

(E) As per the available material evidence on record in the oral enquiry and the statements of witnesses PW-1 to PW-3, it is established that the charged officer Sri G. Krishna, PC 1356 of Hanuman Junction PS working as Police constable since 22.3.2016. The charged officer unauthorized absented himself for duty without any leave or permission and completed 21 days of unauthorized absence continuously by 14.7.2017. Thus he was declared as deserter vide D.O.615/17 of the Superintendent of Police, Krishna District. I tried to serve notice to the charged officer with instructions to attend OE, but his where abouts are not known.

Several times, I tried to serve notices to the charged officer to conduct Oral enquiry against him, but his where abouts are not known. As per the APCS rules, Andhra Pradesh Gazette published on 10.10.2018.

As per the evidence collected during oral enquiry, it is clearly established that the charged officer himself absent from 14.7.2017 to till day. 21 days completed and declared as deserter. Thus the charged officer exhibited gross neglect of duty and reprehensible conduct which is unbecoming of a police officer and there by violated rule 3 & 4 of APCS (conduct) rules, 1964.

Under the circumstances and evidence enumerated supra the charge against Sri G. Krishna, PC 1356 of Hanuman Junction PS is proved beyond reasonable doubt. Hence I hold this Oral Enquiry as **proved**.

K. DHARMENDRA,
*Enquiry Officer,
Deputy Supdt. of Police,
CCS, Machilipatnam.*

CERTIFICATE

Certified that the procedure laid down in A.P.C.S., (CCS) Rules, 1991 has been followed in the conduct of this Oral Enquiry.

K. DHARMENDRA,
*Enquiry Officer,
Deputy Supdt. of Police,
CCS, Machilipatnam.*

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